FIFTY-SIXTH YEAR.

28 PACES-LAST EDITION.

SATURDAY, JULY 28, 1906. SALT LAKE CITY, UTAH.

JINGLE SAM AFTER UTAH COAL LANDS

He Has Commenced Four Suits In the Federal Court in This City to Recover Them.

ARE VALUED AT MILLIONS.

Prominent Persons Are Accused Of Conspiring to Commit Fraud For Coal Companies.

State Land Board Strongly Criticised For Its Methods in Permitting Titles to be Obtained.

When special agents, under the Girection of President Roosevelt and the office of the attorney general of the United States, came to Utah a year or two ago to inquire into the alleged wholesale coal land frauds of this state, the promise was made that just as soon as the evidence could be collected, prosecution would follow and a big scandal be exposed. That promise has now been made good and the public will await with marked interest the outcome of what will doubtless be ; a series of hard-fought cases in the Federal court.

FOUR DISTINCT ACTIONS.

Four distinct actions have been commenced, papers being filed in the federal court late yesterday afternoon, as foreshadowed in the "News" a week ago. The defendants are the Utah Fuel company and the Pleasant Valley Coal company, both of which are charged with fraud, deception and conspiracy, in obtaining between 20,000 and 30,000 acres of valuable coal land. There are two actions against each of the defendants, under distinct classifications. One class deals exclusively with lands that have been acquired the State of Utah through the state land board, while the other has reference to lands that were obtained direct from the federal government through the coal lands law, passed by Congress in 1873. It is charged with regard to the last named law that individuals in employ of the company filed on quarter sections of land and then deeded them to the company for the nominal sum of \$50 each.

BROUGHT BY ATTY. GENERAL.

The suits were filed in the name of W. H. Moody, attorney general in behalf of the government, which seeks to northwest quarter, and the south half annul the titles held by the coal com. panies to lands in Carbon county, valned at millions of dollars. Not only does Uncle Sam propose to have title to these lands vacated, but according to the complaint, he proposes to sue for the value of the coal taken from the lands in question, which of itself run into the hundreds of thousands, and perhaps go past the million dollar mark.

LAND BOARD CRITICISED.

The state land board, of which former Governor Heber M. Wells was president and Byron Groo secretary, is severely criticised for a negligence which Utah people generally will be loath to believe has any element of wrong intent in it. It is generally known that the land board was dependent upon others for the informait acted upon, and that certificates only were granted under the usual representation and oath and in a customary manner in all respects.

PERSONS INVOLVED.

William F. Colton, president and treasurer of the Pleasant Valley Coal company, Robert Forrester, geologist of the Utah Fuel and Pleasant Valley Coal company, H. G. Williams general manager of the former company, W. H. Bird (now deceased), attorney for both concerts, Royal C. Peabody of Boston, one of the officials of the Utah Fuel company, and Charles Mostyn Owen, rofessional spotter, are all accused of activity in the conspiracy and fraud alleged to have been perpetrated. Among those who have permitted themselves to be used as "dummies" in the cases are the following: Hyrum Tidwell, William S. Ronjue, J. R. Tidwell, Jane Forrester, Jefferson Tidwell, Clarence L. Nix, John T. Tidwell, W. J. Tidwell, Otange Seely, Joseph Seely, W. H. Tid-well, Joseph Tidwell, Francis C. Grund-John A. Williams, Fred W. Sin-Henriette Kinsey and Elizabeth

ACTING AS AGENTS.

Charged with acting as agents for the impanies in the fraudulent acquisi-on of coal lands as agricultural lands orrester, Jane Forrester, May Kim pall, Charles Mostyn Owen, William H. Myers, Clarence Owen, William H. Myers, Clarence B. Sprague, Sarah Tidwell, Edwin L. Carpenter, John J. Jud-son, Andrew W. Dowd, William O. Wil-Chris K. Jensen and John B.

PATENTS ATTACKED.

The allegations against the state land board are contained in two bills, attacking the validity of patents secured by the coal companies through state land selections. One is directed against the Utah Fuel company and the other against the Pieasant Valley Coal comthe same, except as to details, and the description of lands involved.

complaint charges the officers, directors, employes and agents of the piracies to defraud the government by ecuring the land from the state at \$1.50 ar acre instead of paying the legal trice of \$10 and \$20 an acre to the goyrnment. It does not directly accuse the president and the secretary of the board of knowingly being parties to the conspiracy, but suggests that Forrester's well known connection with the coal companies as geologist, in the business of getting coal lands, "was sufficient to put said president and sec-retary on inquiry" and to have satisfied them that Forrester and the others had

no agricultural intentions. CALLED PRIME MOVERS.

The other two bills deal with the securing of lands by coal entries. They charge that William F. Colton, Robert Forrester, Charles Mostyn Owen and thers were prime movers in a conspirto defraud the government in the interest of the coal companies. The bills recite the methods of securing lands by coal entry in the landoffice. It is explained that each entryman is en-titled to only 160 acres, and that he must swear he is not acting as the agent of some other person or corpora-

tion, but solely in his own interest. It is charged that Colton. Forrester and the other directly or indirectly procured men to perjure themselves in making entries for the company, illegally.

AS TO COMPANY SECURITIES.

It is specifically set forth that the Morton Trust company of New York holds a mortgage on the lands describ-ed, and it is suggested that if in the judgment of the court it would be best, that the company also be made a party defendant to all the suits. The mort-gage is understood to be for \$10,000,000, and it is a mater of great speculation on the part of local financiers as to what extent the commencement of these suits will affect the securities of the company, which are held all over the

VOLUMINOUS COMPLAINT.

The complaint against the Utah Fuel ompany is as follows:

"I. That on the 1st day of July, 1900, complainant was the owner in fee of the following described tracts of land, s.tuated in the county of Carbon and the State of Utah, which lands, on the day and year last aforesaid were vaand were rough and broken in character, unfit for agricultural purposes and of slight, if any, utility for grazing, but were then known coal lands of the value of one million dollars and upward, to-wit:

DESCRIPTIONS OF LAND.

Following are the descriptions of the

The northeast quarter of the southwest quarter, and the south half of the southwest quarter of section 17: the cast half of the southeast quarter of section 18; the northwest quarter of the northeast quarter, and the north half of the northwest half of section 20, town-ship 2 south, range 14 east, Salt Lake

The southwest quarter of the north-east quarter; the southeast quarter of the northwest quarter; the northeast quarter of the southwest quarter; the northwest quarter of the southeast quarter, and the south half of the southeast quarter of section 20; the rorth half of the northeast quarter of section 29, township 14 south, range 14

cast, Salt Lake meridian.

The southwest quarter of the southwest quarter of section 28; the southwest quarter of the northeast quarter; the east half of the southwest quarter, and the southeast quarter of section township 14 south, range 14 east, Salt

Lake meridian. The southwest quarter of the southwest quarter of section 21; the east half, the northwest quarter; the north half of the southwest quarter, and the southeast quarter of the southwest quarter of section 28, township 14 south, range 14 east, Salt Lake meridian.

The northwest quarter of the south-west quarter of section 17; the northvest quarter of section 22; the east half of the northeast quarter; the south-west quarter of the northwest quarter; the west half of the southwest quarter the southeast quarter of the southwest quarter; and the northeast quarter of the southeast quarter of section 20; the east half, the norwest quarter; the north half of the southwest quarter, and the southeast quarter of the south-west quarter of section 21: the west half of section 26: the southeast quarter of the northeast quarter; the north-west quarter of section 29; all of sec-tion 36, township 14 south, range 14 tion 36, township 14 south, range 14 east, Salt Lake meridian.

The north half and the southeast quarter of ection 3; the northeast of the southeast quarter of section 17; the northeast quarter of section 22; all of section 23; the southwest rier of northeast quarter; the nor. Alf of

the northwest quarter; the sout east quarter of the northwest quarter; the southwest quarter of the southwest quarter; and the west half of the southeast quarter of section 24; the east half of section 26, all in township 14 south, range 14 east, Sait Lake meridian.

Lot 4 in section 31, township 14 south, range 14 east, and lot 1, southeast quarter of the northeast quarter of section township 15 south, range 13 east, Salt Lake meridian.

The west half of the southwest quarter of section 5; the southeast quarter. of the southwest quarter, and the south half of the southeast quarter of section 6. township 15 south, range 14 east, Salt Lot 2 in section 6, township 15 south,

range 14 east, Salt Lake meridian.

Lots 1, 2, 3, 4, 5 and 7; south half of the northeast quarter; southeast quarter of the northwest quarter; southeast quarter of the southeast quarter; west half of the southeast quarter, and the southeast quarter of the southwest quarter of section 6; lots 1 and 2; the east half of the northwest quarter; southwest quarter of the northeast quarter; the southeast quarter of the southeast quarter; the west haif of the southeast quarter, and the east half of the southwest quarter of section 7; fots 2, 3 and 4; the east half of the southwest quarter; the west half of the southeast quarter, and the northeast quarter of section 18; all of section 19; the northeast quarter of the northwest quarter and the northwest quarter of the southeast quarter of section 30, township 14 south, range 14 east; lots 2, 3 and 4, the south half of the northeast quarter; the east half of the southeast quarter, and the southwest quarter of the southwest quarter of section township 15 south, range 14 east, Salt

Lake meridian. The south half of section 22; all of section 27; all of section 34, in township 14 south, range 14 east, and all of section 3; lot 1; the southeast quarter of the northeast quarter, and the east half of the southeast quarter of section 4, township 15 south, range 14 east, Salt

Lake meridian. The federal law as to coal entries is then quoted, telling the method of ap plication to the register of the land office for entry of an amount not ex-ceeding 160 acres to an individual, and the granting of title by the government on the payment of \$10 if more than 15 miles from a railroad and \$20 if nearer a railroad. This, it is explained, is the only legal method by which coal lands

may be acquired. CONSPIRACY CHARGED.

The bill then makes a charge of conspiracy to defraud, in the following

"Your orator further shows that said defendant by and through its officers, directors, agents and employes, well knowing the provisions of said act, on or about the day and year last aforesaid, combined and confederated to-gether, and with other persons, to your unknown, to form and execute a fraudulent scheme, and did form a fraudulent scheme whereby to obtain the possession of, and title to the above described lands from complainant, and without any consideration to complainant therefor, by and through the State of Utah, as they might from time to time have opportunity. Such scheme substance and effect being to represent and pretend that lands which they well knew to be oal lands, and which they desired to obtain solely because

they were coal lands, were in fact grazing or agricultural lands. The terms of the land grant from the United States to Utah at the time of the latter's admission to the Union is explained. Over 1,000,000 acres of land were appropriated for state institutions. These lands were to be selected by the state from unappropriated lands within its borders, but the express provision was made that the lands thus selected must not contain any mineral

(Continued on page eight.)

Logan Makes Formal Protest To Gov. Cutler

Circulating Counter-Petition Over the State by Way of Protest Against Special Session Of the Legislature and of Consolidation-Prest. Hewlett Says the Way to Settle is to Let Logan Have What it Has Got.

dation of the University of Utah and the Agricultural college was a much discussed one today in many circles, and several new developments are to te recorded from the day's work. A special to the "News" from Logan states that the Agricultural college forces there are going to "counter" on the Salt Lakers by putting before the governor at once a petition against contolidation, reviewing the statements made by the petitioners for consolidation and an extra session. The Logan petition, which is being given general circulation through the state, urges trat no extra session be called, and gives as a reason the fact that the time is too short for general information about the situation to be distrib-

LOGAN'S ULTIMATUM.

An inquiry among Logan merchants made at the instance of the "News," to determine what, if any ultimatum, had been given to Salt Lake merchants in regard to the placing of orders, developed the fact that the movement has not yet become fully organized.

In Salt Lake the commercial situa-tion is different. The business men not only do not look kindly upon the approaching conflict, but are to a point where they are willing to mix in the matter. They claim they do not want to get into political questions, but are not ready to stend idly by while the commercial life of the state is demoralized and politicians turn the problem to their various ends. Their hope is pull both sides together and spike their guns before anyone is hurt by the approaching explosions.

THE COMMERCIAL SIDE.

A compromise plan has been drawn up, with the question considered chief-ly from the view point of commercial

The plan has been developed by the merchants in consultation with each other, and by a committee of the Manufcaturers and Merchants' association. which looks anything but pleasantly upon the growing situation that will destroy the "get acquainted" work in the state, and send one city off with its orders to outside towns in preference

to the state's central city. Too much feeling is being engendered say the merchants, and people on both sides, or rather on all sides, are using too much recrimination speak too much evil of their neighbors to allow a sane and sensible action to take a normal course.

EASY TO SAY

When asked what a same and sensie action in this case would be President Hewlett, of the Merchants and Manufacturers' association said this morning that the most sensible thing would be to get rid of the question. and that speedily, for it was hurting the business interests of the state immensely, and from every town came eports that merchants were feeling on the matter as hard or harder than they were thinking, and were speaking with passionste and burning words, when

they gave forth their opinions.
"Now" continued Mr. Hewlett, "we have heard much in the past few days about reasons for consolidation, and reasons for as extra session, but l would like to say 1st a few words about the position of Logan. That town has loved its Agricultural college, and it has become in a way the life of the community. To take it away would greatly disturb trade conditions. and injure many Logan merchants. SPEAKS OUT FOR LOGAN.

You have no idea unless you have been there, how much the commercial life of Logan depends on the Agricultural college, and how vitally the merchants are interested in seeing that it is not taken away. Now, I think both interests, and both sides will soon be I sides ought to come in a little way, and I clans juggle with the subject."

The complicated question of consoli-ation of the University of Utah and the Agricultural college was a much that the college has about 1,000 students and the university about 800. If all these should be brought together in Salt Lake there would be no buildings for them, and that would mean expense in making them. At Logan the college is well established, and the facilities are all there and paid for. It would be a kind of shame to vacate them all, and give up the site. Besides that living is cheaper in Logan than Salt Lake and agricultural students can maintain themselves in school for a smaller figure. So you see there are advantages on that side.

HEWLETT'S SOLUTION.

This trouble started in a duplication of engineering courses, which are expensive courses, and I should think this solution would be fair. Have a commission appointed by the governor to work out the lines on which each school shall be restricted, to prevent unnecessary duplication. If necessary o get some expensive courses, let the student transfer from one school to the other, for a year, and take the technical ourses that can't well be duplicated.
"Now, after this commission has marked the lines on which each school shall proceed, let the legislature pass a law setting aside a certain percentege of the state's revenue

school. This will do they with the un dignified lobbying which both schools have to indulge in at each session of the legislature, and will let each school know all the time just what its prospective revenue is. As the state grows, the revenue allotted to each school will grow, and from this and endowments it can keep growing into the possibili-ties of which it is capable. At present the schools never know until the legislature meets what their funds will be

to mix in politics. This should be very clear, but we do object to having to stand by and see a com alization of the state, while the politi-

and that among the killed were Gen-Zokat, chief of the frontier guard, and Gen. Weitenring, chief of the customs service. Four of the guards were wounded sustained severe According to the latest report the revolutionists escaped with \$80,000 instead of \$8,000.

EVELYN NESBIT'S LETTERS TO STANFORD WHITE.

New York, July 23 .- A number of letters written by Evelyn Nesbit to Stan-ford White before her marriage to Harry K. Thaw and the reports of detec tives employed by White were given into the custody of Dist. Atty. Jerome today by Delancey Nicoll, counsel for the family of Stanford White. Miss Nesbit's letters are said to show only a friendly feeling for White. The detectives were employed by White after he suspected that he was being watched by men employed by Thaw. It was lerned today that the Rev. John A. Wade, the Tombs chaplain, who

sailed today for Europe, carried with him a number of letters to the Count-ess of Yarmouth, the prisoner's sister. chaplain will visit the countess. When Mrs. Thaw was leaving the Tombs after visiting her husband today she was questioned about the letters to the Countess of Yarmouth, She

"I don't wish to talk about them."
Roger O'Mara of Pittsburg again visited Thaw today.

MURDERED BY A BUTCHER.

Chopped Man's Head Off With Cleaver And Went to Work Again.

East St. Louis, July 28 .- After quarrelling for some time in the butcher shop of Michael Schmitt yesterday, Schmitt struck Charles Mommertz on the neck with a meat cleaver, severing his head ffrom his body. When the po-lice arrived Schmitt had resumed his work of chopping meat with the clea-

CHECK TO ACCOMPANY BID.

Washington, July 28.—There will be no opportunity for clever people to turn an honest penny without any risk on their own part in connection with the forthcoming issue of Philippine certificates, proposals for the sale of which are to be opened on the 23rd of next month. Capt. McIntyre, the acting chief of the insular bureau of the war department who is conducting the refunding of the outstanding Philippine certificates, has decided to require all bidders to enclose with their bids certified checks to the amount of 1 per cent of their bids as an earnest of their willingness to take the certificate allotted to them,

CONCESSION TO PORTO RICANS. Washington, July 28.-Concessions to the slight stature of the Porto Ricans

is made a general order just issued by the general staff of the army providing that five feet and two inches shall be the minimum height of men admitted to the Porto Rican provisional regi-

BILLINGS CO. GETS CONTRACT TO BUILD THE CORBET DAM

(Special to the "News.")

Washington, D. C., July 28.—The secretary of the interior has awarded the contract to the Billings Construc-tion company, Billings, Montana, for the construction of the Corbett dam, Shoshone irrigation project, Wyoming their bld being the lowest, \$66.50. The Corbett dam, which will be used to divert the waters of the Shoshone into hannels for distribution is to be a reinforced concrete structure, on Shoshone river, eight miles northeast of Cody. The work involves the excavation of 10,000 cub yards of embankment and the placing of 250,-600 pounds of steel reinforcements

PREST. SMITH'S TRIP.

Will Visit Various Church Conferences As Well as Seek Rest,

It was learned today that the Euro pean trip of President Joseph F. Smith was altogether indefinite as to the period of time it will cover. It may be that the president will return in the course of a couple of months, though it is not unlikely that his absence from home will be longer than that. known to be his intention to visit the various conferences of the Church on the continent, and to take considerable time in rest, recreation and sight-see-ing. Many of the larger cities are on

Accompanying him is Charles W. Nibley, who will doubtless remain with him until his home coming. The change should be a very beneficial one, to both gentlemen. President Smith has been onfined so closely to Church duties and business for so long that he was in sore need of just such a change as the voyage and land travel, far re moved from all cares, will give him.

OFFICER INJURED.

Patrolman Wood Met With a Painful Accident This Morning.

In attempting to swing on to the rear steps of the patrol wagon this morning. Patrolman S. B. Wood of the Salt Lake police force missed his footing and fell to the ground, hadly wrench ing his knee. He will be unable to report for duty for several days.

A report reached headquarters that a dead man had been found near the temple grounds and the patrol wagon and officer were sent out to the place. As the wagon was passing the Y. M. C. A building, Officer Wood, in boarding the some manner missed his foot ing and fell to the ground. He immeinjury was attended to.

HOLDUP SUSPECT CAUGHT.

Fellow Carried a Big Gun and Was Hiding Behind a Tree.

A tough looking individual who laims his name is G. Waters, is now occupying a cell in the city jail on the charge of carrying a conealed weapon, and, in all probabilities, he will face the charge of highway robbery. He was captured early this morning by Officer Lyon on Second North and First West streets.

Shortly after 1 o'clock this morning. word was received at police headquar ters that a suspicious looking person was in the neighborhood men Officer Lyon quietly slipped out to the vicinity and saw Waters in the shadow of a big tree. Before Waters had a chance to make a get away, Lyon had him under arrest. Upon searching the fellow the officer found a large bore ugly looking revolver in Waters' coat pocket. That the fellow intended hold-up and rob some belated pedestri-an there can be no doubt. When lodged at the city jail it was learned that yes terday morning Waters stole a bicycle,

STOLYPIN CAN'T FORM A CABINET

Is Unable to Secure Services of Men of Standing Outside of Official Life.

NO FAITH IN REFORM SCHEME.

Impossible to Convince the Country That it Does Not Involve Reaction.

The Rech Declares the Situation is Much Like it Was Under Count Witte.

St. Petersburg, July 28,-New obstacles have been encountered by Premier Stolypin in his efforts to secure the services in a re-organized cabinet of men of standing in Russia outside official life. The conditions laid down by M. Guchkoff and Prince Lvoff are understood to have been rejected and they, have definitely refused to enter the ministry. This presages the prac-tical shipwreck of the entire scheme since without the participation of the non-bureaucratic elements it would be difficult to conceive even the Conservatives and the Liberals of the sincerity of the government's promises.

Meanwhile M. Stolypin is energet-ically and continually trying to persuade the country that his policy of "strong handed reform" does not in-volve reaction. He has announced in the provinces that, the "pale" will be granted to zemstvo institutions and denies that the government intends to interfere with the legal electoral campaigns of the various parties, in virholding of a national congress of Con stitutional Democrats at Moscow. He has instructed the police of St. Petersburg not to interfere with the Jewish members of the outlawed parliament who, under the law, when they cease to enjoy the immunity entailed by membershsip of parliament for felted the right to remain in the capital more than 24 hours,

Such half way deeds of liberalism, however, are scorned by the Rech, which today says that the situation is not different from what it was under ount Witte, when the latter as premier was "filling the world with liberal declarations while his wicked partner. Durnovo, was putting on the screws

The Rech adds: We hear the voice of Jacob, but we feel the hand of Esau."

Five additional members of the council of the empire, MM. Shishkoff, Verowsky, Lappodanilevsky, Derelishine and Vernadsky have formally They have signed an open letter, set-ting forth that the retention of their mandates would be equivalent to acquiescing in the dissolution of parreaucratic regime, enabling it to pass budget of 1907 without the approval of the representatives of the people The Rech says that in spite of his advanced age, M. Pobedonostseff, formerly procurator general of the holy synod. has the dominant influence over the

BRYAN WILL OPEN MISSOURI CAMPAIGN.

Kansas City, Mo., July 28.-William J Bryan will open the Democratic campaign in Missouri with a speech in Kansas City on the night of Sept. according to a statement of United States Senator William J. Stone in this ity last night. "On Sept. 3 Bryan will be given a re-ception in St. Louis," said the senator,

and according to present calculations he will be in Kansas City the next The senator said that Mr. Bryan's address here would be a keynote speech. After his speech here Mr. Bryan will go to his home at Lincoln,

senator said. Senator Stone said that he expected 250 Missouri Democrats to go to New York to participate in the Bryan re-ception there. The senator said that he would not attend that reception be-

cause of speaking dates scheduled at that time.

The senator would not discuss the rumor that he is to succeed Thomas Taggart as chairman of the National Democratic committee. "I have not been approached regarding the chairmanship," the senator said.

IROQUOIS THEATER CASES.

Chicago, July 28 .- Judge Chytraus yesterday declared that many of the Iroquois theater cases will come to naught through the carelessness plaintiffs' lawyers, who have allowed the statute of limitations to terpose. He had just disposed of the last demurrer in the case growing out of the lroquois theater disaster now pending in the superior court. There are nearly 100 injury cases

pending in the circuit and superfor During the last week Judge ourts. Winder has been hearing demurrers and his decision is expected early next

In most of the cases damages of \$10,000 are asked. As many as 11 or 12 different causes of action are stated and demurrers have been filed to

TO SETTLE DOLLAR FOR DOLLAR.

San Francisco, July 28.—R. R. Man-ners, adjuster for the Eagle Insurcompany, testified yesterday before the grand jury that within the last week he had received advices from New York to the effect that he was to have the power to settle all claims in which it was decided the company is liable at 100 cents on the dollar. Last week he told the grand jury that he had been instructed to pay not over 75 cents. His first in-structions were 50 cents, but they were later changed.

Menners proposes to settle all claims at 100 cents except those in which the company's counsel, H. C. Quinby, who also testified before the inquisitors. says there is a doubt as to the com-pany's liability. This the grand jury considers a distinct victory for dievholders which has resulted from the investigation begun by the jurors.

ATWOOD FAT BOY DEAD. Chicago, July 28 .- A dispatch to the

Tribune from Arcola, Ills., says: Provie Henry, known throughout this section as "the Atwood fat boy," is dead. He was 18 years of age and weighed 406 pounds. His waist mea-surement was 72 inches. His parents are under the usual size, as his father weighs but 145 pounds. His death was due to fatty degeneration of the heart.

YOUNG CHINESE STUDENT DEPORTED

Said to Have Had Trachoma Struck by Bullet Fired by Member But Feared Will Have a Bad Effect.

One Result May be to Divert Stream | Was Navigator of Cruiser Chattancoga. Of Students to Other

Countries.

Washington, July 28 .- Through the enforcement of the immigration laws of the United States against a Chinese student who was one of a party which arrived in Scattle a short time ago, a young Chinaman of great promise, was forced to return to his native country. Thouars and died at 6 o'clock this eveand the case may result in intensify- | ning. ing the criticism China offers against the immigration restrictions this coun-

try imposes on Chinese of the favored The student deported was a member of a party of 38 young Chinamen whom Charles D. Yeney, a Harvard man and a member of the faculty of the Im-perial Chinese university, brought to this country. It was said by health officers that the young student, who was one of the brightest members of the party, was suffering with trachoma a disease of the eyes, and after a board

had passed on his case, the young man was ordered back to China. Teney took the other students to Cambridge, Mass., where they are now attending the Harvard summer school. Half of the young Chinese will be sent to schools in Breat Britain, and the others will be placed in engineering schools in this country. Thirty-four of the young Chinese are being educated by the Chinese government, and

the other members of the party are paying their own expenses.

These students are said to be the forerunners of a large delegation to be sent within a few years to this country in case the United States mod-ifies its restrictions upon Chinese of the educated classes and makes conditions here attractive to the young students. Fear is expressed here, however, that the deportation of the young student with eye trouble will not be understo in China, and may have some effect on the coming of large numbers of stu-

dents to America nuniversities. DID AS HE WAS TOLD.

Strange Woman Gave Man Baby to

Hold and Never Returned. San Francisco, July 28.-After two hours spent in search woman who had requested him to hold a baby for a few moments the senio nember of the contracting firm Collins & Co, yesterday turned the over to the Emergency hospital The baby is a girl, fairly well dressed Mr. Collins was unable to give any ac curate description of the woman had transferred her charge to him,

PENNSYLVANIA FLYER CRASHES INTO WRECK.

Pittsburg. July 28.—Pennsylvania's 18-Pittsburg, July 28.—Pennsylvania's 18-hour New York-Chicago flyer westbound train Ne. 28, dashed into a freight wreck that blocked all four tracks of the system, a mile west of Blairsville, intersection. Pennsylvania, about midnight. The engine left the track, but all the care remained on the rails and no one was injured. The train reached Pittsburg three and a half hours late this morning.

CLOUDBURST IN ITALY.

Many Buildings Fell and Number of Persons Drowned.

Ancona, Italy, July N.—A cloudburst has devasted the Camerino region. The village of Castel St. Angelo suffered mcc. seriously. A number of buildings there fell and the water, forming an impetuous torrent, carried off and drowned from five to PREST. BUTLER DECORATED.

gion of Honor.

LIEUT. ENGLAND SHOT AND KILLED

Of Crew of French Cruiser Dupetit Thouars.

CHINA MAY CRITICIZE CASE. EVIDENTLY AC AN ACCIDENT. THEY WANT AN INVESTIGATION

Which Was Going to Target

Chefoo, China, July 28 .- Lieut, Clarence England, navigating officer of the United States cruiser Chattanooga, was wounded at about noon today by a rifle tullet fired by a member of the crew of the French armored cruiser Dupetit

The Chattanooga, with Lieut. England on the bridge, was proceeding from the harbor to the target range, just outside, and was passing the French squadron, which was anchored American squadron engaged in small arms practise. 'hattanooga, after several bullets had struck the side of the ship signalled the Frenchmen to cease firing, but before this was accomplished Lieut. England was struck in the back at the base of the spine, probably by a richo-chet bullet, which left his body under

The crew of the Dupetit Thouars latcontinued their practise from the deck of the cruiser. Their fire was di-rected at targets in the water, differng from the American practise of landg men on a barren island at the entrance to the harbor. The French squadron here consists of nine ships

and the American of seven. NEWS AT NAVY DEPARTMENT. Washington, July 28.-Great regret as expressed at the navy department today upon the receipt of the news of the shooting of Lieut. Engamong the officers here, and a brother Capt. Lloyd England, of the artillers corps, U. S. army; his father, J. E. England, is next of kin and lives in Little Rock, Ark. Lieut. England was appointed from Arkansas in 1890 to the

naval academy and became a lieu-tenant in 1902. He had been on the Chattanooga since 1904. Navel officers here believe the shoot. ing was entirely accidental and it is expected the French officials will make

ample apologies.

TRADE WITH GERMANY.

Von Buelow Will Not Take up Matter Until After Elections. Berlin, July 28 .- Chancellor

Buelow, it is learned, will not take up the subject of a fresh trade agreement with the United States until after the congressional elections, impropriety is felt in seeking to open negotiations concerning a question in-directly connected with the issues of the campaign until it is over. I. R. Hitt, Jr., chief of division of the campaign until it

Internal revenue department at Washington, although here to take part in the inquiry into the German alcohol fuel and lighting industry, is going into the German tariff question with considerable thoroughness. He seeing many persons, both in public and private life who are competent to speak on the subject.

SMALLPOX AT COLON.

ATTACK BY PEASANTS.

Twelve Dragoons Were Wounded, Five Peasants Killed. Proskuroff. Russia. Mr. 28.—Near the village of Chernipoff, a detachment of dragoons, sent to arrest two agitators, were met by a crowl of peasants armed with seythes, rakes and pitchforks. In the fighting which followed five peasants were killed and 12 dragoons were wounded, three of them fatally.

were ideal.

begun.

The countryside is said to be in a Colon, July 28.—No new case of smallpox has been reported here since Paris, July 28.—President Nicholas Murray Butler of Columbig university has been made an officer of the Le-

000 and the arms of the defenders of the train.

Into Both Houses of Congress Demanding One. day says:

> in the uniforms of enlisted men of the United States army made by G. B. Winter, a military tailor summoned from 3,000 cubic yards of earth and gravel London by Quartermaster Gen. Humphrey, unofficial approval is not particularly manifest in other quarters. Despite the fact that all uniforms are made by contractors, much indignation of the action of the war department

to both branches of Congress demand ing an investigation of the entire af-fair, and a letter of protest has been sent to President Roosevelt.

Opponents of the idea of imported adin the government of the United States, as they style themselves, assert

look like generals.

While it is generally admitted that

the changes ordered will give a better fitting and more comfortable uniform,

St. Petersburg, July 28.-M. Sedel-pikoff, the Radical Cossack member of the outlawed lower house of parliament, who was arrested and beaten in the hands of the police July 4. which caused a stormy scene in the

their 1,460 mile journey, had clean scores. It was estimated that the run to the Woods would occupy about eight hours. The weather conditions

Warsaw, July 28 .- A passenger train carrying government money which was guarded by a detachment

probably was the same band which captured a train on Thursday announcing that the revolution had

Later details say that the attacking | which has been recovered.

TAILORS KICK AT WAR DEPARTMENT

Although the war department has aproved certain suggestions for changes

xists in the Merchant Tailors' Nation al Protective Association of America. the office of the organization at No 241 Fifth avenue, it was said yester-gay that a resolution would be introduced in the annual convention at Washington next February, calling for consure of the war department. Bills are being prepared for introduction in-

that Mr. Winter was brought to this country to make American privates look like officers, and American officers

His Offense Was the Carrying of a Revolver.

house the next day, was today fined \$250 for carrying a revolver which was found on him when arrest-GLIDDEN AUTOMOBILISTS. Rangeley Lakes, Me., July 28.-The Glidden automobile tourists started from here today on the last run their endurance test. Bretton Woods,

ARMED BODY ATTACK AND

of soldiers and gendarmes, was atand Herby by a numerous, well armed body. Lively firing ensued during which two gandarmes, four soldiers and two civil employes were killed and others of the guards were wound. The attacking party carried off \$8,-

for the next year. The merchants of course don't want

Don't Like Idea of a Britisher Fixing Uniforms of American Soldiers.

Bills Being Prepared for Introduction

New York, July 28 .- The Herald to-

is asserted that there were plenty of men at home able to make the required

COSSACK MEMBER FINED.

N. H., 124 miles away, is the destination for the machines and 14 of the cars which started on the last leg of

ROB RUSSIAN TRAIN.

ferment and sympathizing with the guerilla bands. The small force of treops operating in the district will be re-inforced.